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INTERNATIONAL TRADE REGULATION

Professor Michael Trebilcock

Course Materials
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INTERNATIONAL TRADE REGULATION

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OUTLINE

INTERNATIONAL TRADE REGULATION 1999-2000

Professor Michael Trebilcock

Topic 1 - The Evolution of Trade Theory and Policy

- "Chapter 1: The Evolution of International Trade Theory and Policy" in M.J. Trebilcock & R. Howse, *The Regulation of International Trade*, 2nd ed. (New York and London: Routledge, 1999) [hereinafter *Trebilcock and Howse*].
- "Chapter 8: The Fallacy of Free Trade" in R. Butra, *The Myth of Free Trade* (New York: Macmillan, 1993).
- Dani Rodrik, "Sense and Nonsense in the Globalization Debate," (Summer 1997) *Foreign Policy*, 19.
- "Chapter 25: Who is 'Us'?" in R. Reich, *The Work of Nations* (New York: Vintage, 1991)
- Paul Krugman, "Competitiveness: A Dangerous Obsession," (1) 73 (2) *Foreign Affairs* 30.

Topic 2 - Overview of the GATT/WTO and NAFTA

- "Chapter 2: The Basic Elements of the GATT/WTO, the North American Free Trade Agreement, and the European Union" in *Trebilcock and Howse*.

Topic 3 - Dispute Settlement and Treaty Interpretation

- "Chapter 3: Dispute Settlement" in *Trebilcock and Howse*.
- WTO Secretariat, "Settling Disputes: Case Study - The Timetable in Practice," online: World Trade Organisation <[http:// www.wto.org/wto/about/dispute3.htm](http://www.wto.org/wto/about/dispute3.htm)>.
- "Is the WTO Dispute Settlement System Responsive to the Needs of Traders?" (1998) J. World T. 147.
- David Palmeter, "The Need for Due Process in WTO Proceedings," (1998) J. World T. 51.

Topic 4 - Tariffs

- "Chapter 5: Tariffs, the MFN Principle and Regional Trading Blocs" in *Trebilcock and Howse*.
- *Belgian Family Allowances*, Report of the Working Party (1952).
- *European Communities - Regime for the Importation, Sale and Distribution of Bananas*, Report of the Appellate Body (1997).
- *European Communities - Customs Classification of Certain Computer Equipment (LAN Case)*, Report of the Appellate Body (1998).
- *Argentina - Measures Affecting Imports in Footwear, Textiles, Apparel and other Items*, Report of the Appellate Body (1998).

Topic 5 - Anti-dumping Laws

- Chapter 7: Anti-Dumping Laws" in *Trebilcock and Howse*
- *Daewoo Electronics v. International Union of Electronic, Electrical, Technical, Salaried and Machine Workers et al.*, 6 F. 3d 1511 (Fed. Cir. 1993).
- Jorge Miranda, "Should Anti-Dumping Laws be Dumped?" (1996) 28 L & Pol'y Int'l Bus. 255.
- Alan Sykes, "The Economics of 'Injury' in Anti-Dumping and Countervailing Duty Cases" in J.S. Bhandari and A.O. Sykes, eds., *Economic Dimensions in International Law: Comparative and Empirical Perspectives* (Cambridge: Cambridge University Press, 1997) 83.
- Ronald Cass and Michael Knoll, "The Economics of 'Injury' in Anti-Dumping and Countervailing Duty Cases: A Reply to Professor Sykes" in J.S. Bhandari and A.O. Sykes, eds., *Economic Dimensions in International Law: Comparative and Empirical Perspectives* (Cambridge: Cambridge University Press, 1997) 126.

Topic 6 - Subsidies and Countervailing Duties

- "Chapter 8: Subsidies, Countervailing Duties, and Government Procurement" in *Trebilcock and Howse*
- *PPG Industries Inc. v. U.S.*, 928 F. 2d 1568 (Fed. Cir. 1991).
- *Saarstahl AG v. U.S.*, 78 F. 3d 1539 (Fed. Cir. 1996).

- Robert Howse, "Settling Trade Remedy Disputes: When the WTO Forum is Better than the NAFTA," *C.D. Howe Institute Commentary* (1998).
- *Certain Softwood Lumber Products From Canada*, Decision of the Binational Panel on Remand (1993).
- *Certain Softwood Lumber Products From Canada*, Extraordinary Challenge Committee (1994), Views of Dissenting Member Wilkey.

Topic 7 - Safeguards and Adjustment Assistance

- "Chapter 9: Safeguard Regimes and Domestic Adjustment Policies" in *Trebilcock and Howse*.
- United States International Trade Commission, "Report to the President on Certain Motor Vehicles and Certain Chassis and Bodies Therefore (1980)", as edited in Baron & Fisher, *International Trade and Investment: Regulating International Business* (Boston: Little Brown, 1986) 216.
- Alan Sykes, "GATT Safeguards Reforms: The Injury Test" in M.J. Trebilcock and R. York, eds., *Fair Exchange: Reforming Trade Remedy Laws* (Toronto: C.D. Howe Institute, 1990) 203.

Topic 8 - Trade in Agriculture

- "Chapter 10: Trade in Agriculture" in *Trebilcock and Howse*.
- *NAFTA - Tariffs Applied by Canada to U.S.-Origin Agricultural Products*, Final Report of the Panel (1996).
- *EC - Measures Affecting the Importation of Certain Poultry Products*, Report of the Appellate Body (1998).

Topic 9 - Trade in Services; Trade-Related Intellectual Property Rights (TRIPs)

- "Chapter 11: Trade in Services" in *Trebilcock and Howse*.
- "Chapter 12: Trade-Related Intellectual Property (TRIPs)" in *Trebilcock and Howse*.
- *India - Patent Protection for Pharmaceutical and Agricultural Chemical Products (Complaint by the EC and their Member States)*, Report of the Panel (1998).
- *United States - Section 337 of the Tariff Act of 1930*, Report of the Panel (1989).

Topic 10: Trade-Related Investment Measures (TRIMs); Competition Policy and Trade Policy

- "Chapter 13: Trade and Investment" in *Trebilcock and Howse*.
- "Chapter 17: Trade and Competition Policy" in *Trebilcock and Howse*.

Topic 11 - Trade and Environmental Standards; Trade Labour Standards

- "Chapter 15: Trade and the Environment" in *Trebilcock and Howse*.
- "Chapter 16: Trade and Labour Rights" in *Trebilcock and Howse*.

Topic 12 - Technical Barriers and Health and Safety Standards

- "Chapter 6: Trade Policy and Domestic Health and Safety Regulation and Standards" in *Trebilcock and Howse*.
- *EC - Measures Concerning Meat and Meat Products (Beef Hormones)*, Report of the Appellate Body (1997).
- *In the Matter of Puerto Rico Regulations on the Import, Distribution and Sale of UHT Milk from Quebec*, Report of the FTA Panel (1993).
- *Australia - Measures Affecting Importation of Salmon*, Report of the Appellate Body (1998).

Topic 13 - Trade Policy and Developing Countries; Trade and Culture

- "Chapter 14: Trade and Developing Countries" in *Trebilcock and Howse*
- *Canada - Certain Measures Concerning Periodicals*, Report of the Appellate Body (1997)

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- WTO Secretariat, "Settling Disputes: Case Study - The Timetable in Practice," online: World Trade Organisation <<http://www.wto.org/wto/about/dispute3.htm>> 2-1
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- David Palmeter, "The Need for Due Process in WTO Proceedings", (1998) J. World T. 51 2-13

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- Report of the Working Party, *Belgian Family Allowances*, (1952) 3-1
- European Communities - Regime for the Importation, Sale and Distribution of Bananas*, Report of the Appellate Body (1997) 3-3
- Report of the Appellate Body, *European Communities - Customs Classification of Certain Computer Equipment (LAN Case)* (1998). 3-9
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- Ronald Cass and Michael Knoll, "The Economics of 'Injury' in Anti-Dumping and Countervailing Duty Cases: A Reply to Professor Sykes" in J.S. Bhandari and A.O. Sykes, eds. *Economic Dimensions in International Law: Comparative and Empirical Perspectives* (Cambridge: Cambridge University Press, 1997) 126 4-33

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